



MEMO ENDORSED

April 23, 2024

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BY ECF

The Honorable Katherine H. Parker
United States Magistrate Judge
United States District Court
Southern District of New York
Courtroom 17-D
500 Pearl Street
New York, New York 10007

APPLICATION GRANTED: The Initial Conference set for 5/14/2024 at 02:30 PM in Courtroom 17D, 500 Pearl Street, New York, NY 10007 is hereby rescheduled to Wednesday, June 12, 2024 at 3:00 p.m. Defendant's deadline to answer the complaint if extended to May 22, 2024.

APPLICATION GRANTED

A handwritten signature in black ink that reads 'Katherine H. Parker'.

Hon. Katharine H. Parker, U.S.M.J.

Re: Andrew Toro v. Tripp NYC, Inc.
Docket No.: 24 Civ. 1768 (JHR)(KHP)

04/23/2024

Dear Magistrate Judge Parker:

I represent Defendant Tripp NYC, Inc. in the above-referenced action. I write pursuant to your Individual Rule I. (c) to request an extension of the time for the Defendant to answer or move with respect to Plaintiff's complaint and an adjournment of the Initial Case Management Conference and associated deadlines, currently scheduled for May 14, 2024.

Plaintiff's complaint seeks relief under various causes of action for the alleged lack of accessibility of Defendant's website to the Plaintiff who is visually impaired and others similarly situated. Service on the Defendant was made through the New York Secretary of State, which sent out its letter enclosing the complaint to my firm as agent on April 11, 2024, based upon service upon it on April 3, 2023. It appears Defendant's answer and/or motion is due on April 24, 2024. I only received a copy of the complaint on Monday April 21, 2024. Since getting the complaint we are conducting our investigation into the matters alleged. I contacted Plaintiff's counsel yesterday and he has agreed to an extension of Defendant's time to answer for thirty (30) days, through and including May 22, 2024. I have also discussed with Plaintiff's counsel preliminarily a consensual settlement of the matter and we agreed to have further discussions in the coming weeks. No previous request for an extension has been made. Counsel also jointly request an adjournment of the Initial Case Management Conference and associated deadlines for

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thirty (30) days as well, or to a date convenient for the Court. This adjournment will permit the Defendant time to answer or move with respect the Plaintiff's complaint and for the parties to complete their settlement discussions.

Accordingly, it is respectfully requested that Defendant's time to answer or move with respect to Plaintiff's complaint be extended through and including May 22, 2024 and the Initial Case Management Conference and associated deadlines be adjourned thirty (30) days as well, or to a date convenient for the Court

Respectfully submitted,

John D. D'Ercole

cc: Mars Khaimov, Esq. (via email)
(mars@khaimovlaw.com)